

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	<b>No. 4:21-CR-5-O</b>
THE BOEING COMPANY,	)	
	)	
<i>Defendant.</i>	)	
	)	

**THE BOEING COMPANY’S RESPONSE TO MOTION BY ANTHONY KEYTER FOR  
ARREST OF BOEING DIRECTORS AND EXECUTIVE COUNCIL**

The Boeing Company (“Boeing”), by and through counsel, submits this response to the Motion for Arrest of Boeing Directors and Executive Council [Dkt. 258] filed by non-party Anthony Keyter. Mr. Keyter purports to act in the “combined roles of Boeing Crime Victim, Amicus Curiae, Prosecutor Qui Tam, and Senior Boeing Instructor Pilot, Retired,” [Dkt. 258 at 3] and moves the Court to issue arrest warrants for members of Boeing’s Board of Directors and Executive Council. As with other frivolous filings made by Mr. Keyter in this case, his motion should be summarily denied.<sup>1</sup>

Mr. Keyter is, as one district court judge observed, “a disgruntled litigant.” *Keyter v. 230 Government Officers*, 372 F. Supp. 2d 604, 605 (W.D. Wash. 2005).<sup>2</sup> Further, Mr. Keyter’s

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<sup>1</sup> Mr. Keyter is a non-party with no basis to seek any relief from this Court, and in similar circumstances, Boeing has generally not responded to such motions. Because of the nature of relief requested in this Motion, however, Boeing is filing the present brief response. While reserving the right to file responses to non-party motions, Boeing generally does not intend to respond to Mr. Keyter’s filings, or filings from other similarly situated individuals such as Captain Mark Geller [Dkt. 260], unless directed to do so by the Court.

<sup>2</sup> Mr. Keyter has also filed numerous lawsuits alleging crimes by various companies and high-ranking government officials. *See Keyter v. Locke*, No. 3:04-cv-5867 (W.D. Wash. filed Dec. 20, 2004); *Keyter v. Bush*, No. 3:08-cv-5509 (W.D. Wash. filed Aug. 18, 2008); *Keyter v. United States*, No. 3:08-cv-5235 (W.D. Wash. filed Apr. 17, 2008); *Keyter v. Air India*, No. 2:09-cv-825 (W.D. Wash. filed June 16, 2009); *Keyter v. Ford Motor Co.*, No. 2:09-cv-897 (W.D. Wash. filed

persistent abuse of the judicial process has led at least three district courts to take the extraordinary step of barring Mr. Keyter from bringing additional filings. *See Keyter v. McCain*, No. CV-05-1923-PHX-DGC, 2006 WL 120322, at \*5 (D. Ariz. Jan. 13, 2006); *Keyter v. United States of America*, No. 3:08-cv-05235, Dkt. 14 at 1 (W.D. Wash. May 14, 2008); *Keyter v. Air India Officers*, No. 10-802-SLR, 2010 U.S. Dist. LEXIS 130170, at \*3–5 (D. Del. Dec. 7, 2010).

This case has been no different. Mr. Keyter has already asserted various frivolous claims against Boeing alleging baseless theories of criminal conduct, which this Court has denied (as moot). *See* Dkt. 186 (describing, *inter alia*, a criminal conspiracy between Boeing, President Biden, and others; a purported plot by Boeing to engage in a “‘Jamal Khashoggi style’ kidnap and murder” of Mr. Keyter; a “2,400-page tome” purportedly written by Mr. Keyter and documenting “Boeing Company crimes . . . meticulously detailed over a number of years”; and a “criminal conspiracy between Boeing and the three stock exchanges . . . upon the unsuspecting investment markets [in the amount of] \$249.88 billion”) (denied by Dkt. 192). This motion should likewise be denied.

Mr. Keyter is not a party to this case and, as a non-party, he may not seek relief of any kind without leave of court. *See White v. Texas Am. Bank/Galleria, N.A.*, 958 F.2d 80, 83 (5th Cir. 1992) (“[U]ntil the Appellants received leave to intervene, they were not parties to the suit and, consequently, had no standing to be served or to respond to NCNB’s summary judgment motion.”)

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June 30, 2009); *Keyter v. The Boeing Co.*, No. 2:09-cv-962 (W.D. Wash. filed July 13, 2009). He has alleged, among various other claims, that former Presidents Bush and Obama, as well as Justices of the Supreme Court and members of Congress, engaged in criminal actions. *See, e.g., Keyter v. Obama*, No. 9-518-B-W, 2009 WL 3839336, at \*1 (D. Me. Nov. 6, 2009) (“This case is captioned as a criminal complaint against the ‘President Barack Obama and Cabinet.’ The other two cases are brought against ‘Justices of the US Supreme Court’ and ‘Senators and Representatives of the 111th Congress.’”).

(citing 3 J. Moore & J. Kennedy, *Moore's Federal Practice*, § 24.12 (1991)); *AET Inc. Ltd. v. C5 Comms. LLC*, 2007 WL 2362949, at \*1 (S.D. Tex. Aug. 14, 2007) (“Smith, as a non-party and essentially a member of the public at large, may not file Motions in this case without leave of this Court.”).

Moreover, there is no authority for a non-governmental actor—regardless of whether they are a party, victim, former employee, or otherwise have some purported connection to a matter—to seek criminal charges or to effectuate or execute an arrest warrant of another person. *See Town of Castle Rock, Colorado v. Gonzales*, 545 U.S. 748, 767 n.12 (2005) (“[N]eedless to say, a private person would not have the power to obtain an arrest warrant.”); *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973) (“[A] private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another.”); *Lewis v. Jindal*, 368 F. App’x 613, 614 (5th Cir. 2010) (“It is well-settled that the decision whether to file criminal charges against an individual lies within the prosecutor’s discretion, and private citizens do not have a constitutional right to compel criminal prosecution.”); *see also* Fed. R. Crim. P. 3 (The Complaint), 4 (Arrest Warrant or Summons on a Complaint), 7 (The Indictment and the Information), and 9 (Arrest Warrant or Summons on an Indictment or Information).

For these reasons, Mr. Keyter’s frivolous motion should be summarily denied.

Respectfully submitted,

Dated: September 18, 2024

*s/ Mark Filip*

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